

REMARKS

Pending in the application are claims 1-20, of which claims 1, 7, 12 and 17 are independent. The following comments address all stated grounds for rejection and place the presently pending claims, as identified above, in condition for allowance.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 2, 4-7, 9-14 and 17-20 are rejected under 35 U.S.C. §103(a) as being anticipated by Anderson et al (US 6,571,246) in view of the Helmick reference (U.S. Patent Number 6,470,171). Applicant respectfully traverses the rejection for the following reasons.

Applicant respectfully disagrees with the Examiner's characterization of the teachings of the Anderson reference. The Anderson reference, which is concerned with *setting up* a web page for a business process, is not directed to testing a user in an on-line educational course as required by claims 1, 2, 4-7, 9-14 and 17-20. The fact that the Anderson reference uses the words "image", "web page" "applet" and "match" is insufficient to reject the claimed invention, which Applicant submits distinguishes patentably over the cited reference.

The Anderson reference does not display a set of images and a set of descriptions and allow a user to manually connect a first image to a first description on a web page. Rather, in the Anderson reference, a web server, not a user, matches an image to corresponding data using tags. (See column 2, lines 5-7 and lines 55-57, column 3, lines 14-26, column 5, lines 8-16.) In particular, the web server of Anderson *automatically* matches each image to corresponding data according to "identifying information in the tags" (see column 5, lines 8-16). In contrast, the claimed invention allows and instructs a student of an on-line educational course to attempt a correct match based on the student's knowledge, which may or may not be correct.

In addition, the Anderson reference is not concerned with *testing* a student or another person. In the claimed invention, the test delivered over a network has a user attempt a correct answer. The claimed invention thus allows for incorrect matching by a user during the testing process, while the Anderson reference requires a web server to automatically match an image

with a corresponding data, which must be correct. In the Anderson reference, the web server *automatically* matches up correct images and data, which is totally different from the claimed invention.

Furthermore, as specifically set forth at least in column 2, line 61 through column 3, line 26 and on column 5, lines 8-16 of Anderson, an image and a corresponding description are matched up before the creation of the web page and stored in the database together. In contrast, the set of images and set of descriptions of the claimed invention are displayed on the web page in an unmatched configuration on a web page displayed to a user, and the user is then instructed and allowed, *after* creation and displaying of the web page, to match an image to a corresponding description. Anderson clearly does not disclose such a feature, because it requires the displayed web page to include images that are *already* matched to their descriptions, precluding a user from being able to or being requested to match images and descriptions on a web page.

In addition, Applicant submits that the Anderson reference does not disclose an applet within a web page that forms part of an on-line educational course, as required in claims 1-20.

Furthermore, Applicants submit that motivation to combine the Anderson reference and the Helmick reference is lacking; though even in combination, the references fail to disclose the features of the claimed invention. The fact that the Helmick reference discloses an on-line system for displaying educational materials does not provide motivation to use the data collection and workflow management of Anderson in such an on-line education system as described in Helmick. However, even in combination, the references fail to disclose an on-line educational program that includes the recited match game applet for testing a student.

In addition, the dependent claims recite additional patentable features not disclosed in the cited references. Regarding claim 2, the section of the Anderson reference (column 6, lines 5-15 and 35-50) cited by the Examiner as disclosing rendering a line between a first image and a corresponding description selected by the student to display an association made by the student, as recited in claim 2, clearly does not disclose such a feature. Rather, the cited section describes

how a photographer of a property can tag an image so that a web page can later match the image with information regarding the image. Nowhere does the Anderson reference disclose that a line is rendered on a web page between an image and a corresponding description selected by a user.

The Anderson reference also does not disclose the subject matter of claim 7. For example, the Anderson reference does not describe a web page that includes instructions to a student of an on-line educational course to match an image in the set of images with a corresponding description to test the student's knowledge, as set forth in claim 7. The section of Anderson cited by the Examiner also in no way relates to the claimed subject matter, because it merely describes sending of data over a connection.

Regarding claim 9, column 8, lines 1-3 of Anderson and column 5, lines 1-15 describe use of a tagging component to facilitate matching of images with data, but do not disclose an applet tag that instructs a browser to execute instructions for running the match game applet. The tagging components in Anderson provide no instructions, but merely are a tool for matching up images and data within a database.

Regarding claim 10, column 1, lines 30-42 of Anderson provide background information regarding drawbacks to a business process, but do not mention use of a definition file for an applet that provides a correct answer to a query, as recited in claim 10.

Regarding claim 11, the fact that a web page inherently has source code does not mean that a definition file that is separate from source code for a web page is disclosed, as alleged by the Examiner. Claim 11 does not claim the source code, but rather the separation of a definition file from a source code, a feature also lacking in the cited references.

For at least these reasons, Applicant submits that claims 1, 2, 4-7, 9-14 and 17-20 distinguish patentably over the cited Anderson and Helmick references and requests reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection.

Claims 3, 8, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson and Helmick in view of Strub et al (US 6,652,287). Independent claim 1, from which

claim 3 depends, independent claim 7, from which claim 8 depends, and independent claim 12, from which claims 15 and 16 depend, are patentable for reasons outlined above. Therefore, claims 3, 8, 15 and 16 are also patentable.

The Strub reference also does not compensate for the deficiencies of the Anderson reference and the Helmick reference. Specifically, the Strub reference also lacks a teaching or suggestion of a match game applet in an on-line educational course that prompts a student to match images displayed in a user interface with descriptions displayed in the user interface. In addition, the Strub reference does not teach or suggest providing feedback to a student indicating the accuracy of an association made by the student, as alleged by the Examiner. The mention of the word “feedback” in column 1, line 55 does not mean that the Strub reference provides feedback regarding whether a match attempted by a student is correct or incorrect.

Furthermore, Applicant submits that motivation to combine the teachings of the Anderson reference and the Strub reference is lacking. The Examiner has not pointed to an objective reason for combining the references, making the combination of the references to make an obviousness-type rejection improper. In addition, the Anderson reference and the Strub reference are directed to totally different fields, and are not readily combinable. One skilled in the art of managing a business process, such as a real estate brokerage, to which the Anderson reference is directed, would not readily look to the field of on-line educational courses, to which the Strub reference is directed to modify the teachings therein. Therefore, the requirements for establishing a *prima facie* case for obviousness have not been met.

For at least these reasons, the pending claims, without amendment, distinguish patentably over the cited references, which, even in combination, fail to disclose the subject matter of claims 1-20.

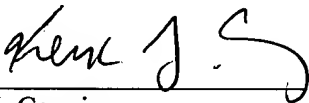
CONCLUSION

In view of the above comments, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this amendment. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. SMQ-060 from which the undersigned is authorized to draw.

Dated: October 13, 2005

Respectfully submitted,

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